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United States Patent and Trademark Office

REMARKS

The USPTO has requisitioned an oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and the international filing date. In response, please find enclosed the Declaration of the Inventors, in compliance with 37 CFR 1.497(a) and (b), executed by the inventors, with the exception of the deceased inventor, Howard Kaplan and identifying the application by international application number and international filing date.

Pursuant to paragraph 409.01(f), when a joint inventor of any application dies after filing the application, the living joint inventors must submit proof that the other joint inventor is dead. Upon submission of such proof, only the signatures of the living joint inventors are required on papers filed with the USPTO, provided that the legal representative of the deceased inventor does not intervene. Accordingly, please find enclosed a copy of a notarized Certificate of Death of Howard Arthur Kaplan. Furthermore, the legal representative, Mrs. Carol Grad, of the deceased inventor has been informed of this application, and has given no indication of a wish to intervene.

The notification requested a \$65 surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date. In response, please deduct \$65 from our Deposit Account No. 13-2400.

The notification also asserted that the nucleotide and amino acid sequence disclosure contained in the application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821-1.825, on the basis that the content of the computer readable form does not comply with requirements of 37 C.F.R. 1.822 and/or 1.832, as indicated in the provided marked up copy of the raw sequence listing. The USPTO has requisitioned an initial or substitute copy of the compact disc of the sequence listing as well as an amendment directing its entry into the specification. The USPTO has requisitioned a statement that the contents of the paper compact disc and the computer readable form are the same and, where applicable, include no new matter, as required under 37 C.F.R. 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

In response, please find enclosed a copy of the sequence listing in computer readable form, which complies with the requirements 37 C.F.R. 1.822 and 1.823, as indicated on the provided marked up copy of the raw sequence listing. A replacement copy of the paper copy is also provided.

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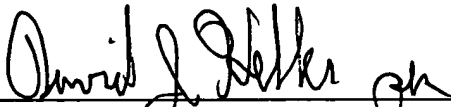
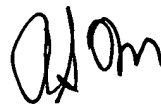
The contents of the paper and computer readable form are the same and, where applicable, include no new matter.

The Patent Office will note that the length of the sequences marked up in the raw sequence, namely SEQ. ID NO. 6, 12 and 21, differ from the lengths of the sequences originally provided. This is because, using the PatentIn software, from the USPTO, when the sequences were first processed, the indications "n[a/cnn]" were processed as reading either nacnn or acnn. This has been clarified in the enclosed paper copy and computer readable copy, by use of the feature notations.

It is respectfully submitted that the present amendment, enclosures, and remarks herein, are a complete response to all outstanding issues. If anything further is required, please contact the undersigned.

Yours very truly,

HOWARD KAPLAN et al.

By  
David J. Heller, Reg. No. 43,384

DJH:lc
Encls.